

REMARKS

Reconsideration of the present application in view of the foregoing amendments and following remarks is respectfully requested.

Independent claim 1 has been amended to more clearly define the claimed invention. Claims 7 and 52-56 have been cancelled without any prejudice and/or disclaimer. No new matter has been introduced through this amendment. This amendment is fully supported throughout the original specification and/or drawings. Claims 1, 5, 10, 13, 15, 22, 26-27, 31, 34, 38-39, 43-44, 48-51, 57 and 61-62 are pending in the present application.

In view of claim 1 being amended to particularly point out and distinctly claim the subject matter of the present invention, the Applicants trust that the amended independent claim 1 is in compliance with 35 U.S.C 112 first paragraph and second paragraph. For example, amendment to independent claim 1, *see claim 1, lines 6-10*, clarifies that the three-dimensional structure includes a high density portion and a low density portion. Amendments to claim 1 concerning the bulk density is supported in at least page 9, lines 12-16 of the specification. Accordingly, withdrawal of the rejection of claim 1 based on 35 U.S.C 112 first paragraph and second paragraph is respectfully requested.

Further, the Examiner, in the Office Action, has rejected independent claim 1 as being unpatentable over Martin et al. U.S. Patent No. 5,972,463 (hereinafter "Martin") in view of Kargol et al. U.S. Patent No. 5,492,662 (hereinafter "Kargol") for the reasons set forth in the previous Office Action dated January 19, 2006. However, Applicants respectfully submit that amended independent claim 1 is patentable over Martin in view of Kargol , at least in that, amended claim 1 now recites "A resin molded article having a cushion structure comprising.... said filaments made from a mixture of a polyolefin resin and one selected from the group consisting of vinyl acetate resin, ethylene vinyl acetate copolymer or styrene butadine styrene, said mixture being melted and kneaded;....." This feature of claim 1 is supported in at least page 9, lines 22-26 and page 10, lines 3-7 of the specification. Martin neither discloses nor suggests that

the mixture are melted and kneaded. Further, the filaments, as disclosed in Figs. 7-14 of Martin, are with dual individual components having a sheath-core structure which is not essential for the filaments of the present invention.

Further, Kargol requires at least a portion of the polymeric fibers which comprise the body to be coated with a fusible polymeric material for creating bonds between the polymeric fibers, *see Column 3, lines 51-53*. Kargol does not disclose that the ethylene vinyl acetate copolymer can be used for bonding between the filaments. In the present invention, a mixture of a polyolefin resin and one selected from the group consisting of vinyl acetate resin, ethylene vinyl acetate copolymer or styrene butadine styrene are melted and kneaded, thereby a separate adhesive or the like is not essential for bonding between the filaments in the present invention. Accordingly, Applicants believe that the polymeric fiber of Kargol is different from the filament of the present invention and hence a resulting product of Kargol is different from that of the present invention. Further, there is no motivation to combine the references because, even if a filament of Martin is employed in Kargol., having high density and a low density portion, Martin has a composition different from that of the present invention as mentioned above, therefore the three-dimensional structure according to the present invention cannot be made in the manner taught by Martin. At least for the above reasons, withdrawal of the rejection of claim 1 based on 35 U.S.C 103(a) is respectfully requested.

Accordingly, it is Applicant's contention that amended Claim 1 and Claims dependent thereon should be allowed.

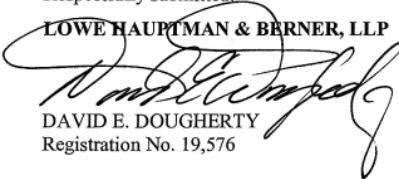
Since all of the Claims are now in proper form and clearly and patentably distinguished over the cited art prompt favorable action is requested.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including

extension of time fees, to Deposit Account _____ and please credit any excess fees to such deposit account.

Respectfully submitted,

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Date: February 8, 2007